



CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on the date below:

11-17-05
Date

Richard Nelson
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas H. Barrett, Jr.
Corey D. DeHaven

Serial No.: **09/818,205**

Filed: **March 27, 2001**

Confirmation No.: **2492**

For: **METHOD, SYSTEMS AND
COMPUTER PROGRAM PRODUCTS
FOR DYNAMIC SCHEDULING AND
MATRIX COLLECTING OF DATA
ABOUT SAMPLES**

Group Art Unit: **1631**

Examiner: **John S. Brusca**

Atty. Dkt. No.: **11899.0250.NPUS00**

Client File No.: **38-26(54026)B**

**PETITION FOR REVIVAL OF APPLICATION
FOR UNINTENTIONAL ABANDONMENT UNDER 37 C.F.R. §1.137(b)**

Mail Stop Petition

Commissioner for Patents
Washington, D.C. 20231

The above noted application is believed to have been abandoned on October 20, 2005 due to a failure to file a response to the April 20, 2005 Office Action. The undersigned representative has not received a Notice of Abandonment in this case.

Applicants hereby petitions for revival of this application.

This application became abandoned unintentionally. The above application was assigned to Monsanto Company March 23, 2005. An Office Action was issued to the prior assignee of the application on April 20, 2005. In October of 2005, the files regarding this matter were forwarded

to Howrey LLP to continue to prosecute the application. Upon review of the files, Howrey LLP determined that the above application had become abandoned on October 20, 2005 for failure to respond to the April 20, 2005 Office Action. Examiner's objection to the originally submitted drawing necessitated additional delay as the original figures had to be sent to a draftsman to be redrawn in order for the figures to show the proper contrast after being scanned into PAIR. The entire delay in filing the response to the April 20, 2005 Office Action from the due date until the filing of this petition was unintentional.


Enclosed with this paper is a response to the April 20, 2005 Office Action. Applicants respectfully submit that the enclosed response constitutes a full and complete response to the April 20, 2005 Office Action. Also enclosed with this paper is a Withdrawal of Claim to Small Entity Status and a Correspondence Address Election and Power of Attorney.

Applicants also hereby respectfully request that the Office please send an acknowledgment of the active status of this application to the address associated with customer number 45607.

Pursuant to 37 C.F.R. § 1.17(m), the Commissioner is authorized to charge the fee of \$1500.00 to Deposit Account No. 01-2508/11899.0250.NPUS00. Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/11899.0250.NPUS00.

Should there be any question regarding the enclosed papers or this petition, Applicants respectfully request that the Office contact the undersigned so that any outstanding issues may be resolved in a timely manner.

Respectfully submitted,



Rexford A. Johnson

Reg. No. 57,664

Attorney for Assignee

MONSANTO COMPANY

Customer No. 45607
Howrey LLP
1111 Louisiana, 25th Floor
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(713) 787-1400

Date: Nov. 16, 2005